

CLAUSEN MILLER P.C. CHICAGO, IL
IRVINE, CA
NEW YORK, NY
PARLIPPANY, NJ
WHEATON, IL
SHANGHAI, CHINA

CLAUSEN MILLER L.L.P. LONDON, ENGLAND

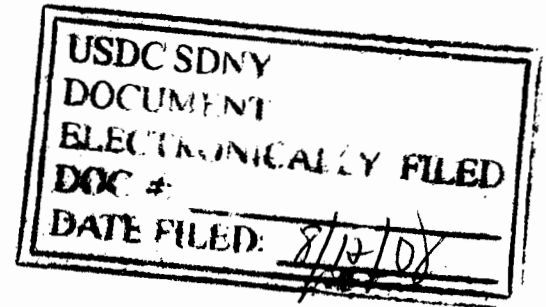
CLAUSEN MILLER EUROPE
Clausen Miller P.C.
Clausen Miller L.L.P., LONDON
Toussaint-Lambert-Juni, & Associés, PARIS
Studio Legale Corp., ROME
van Cutsen-Wittamer-Marnet & Partners, BRUSSELS

One Chase Manhattan Plaza, 39th Floor • New York, NY 10005 • www.clausen.com
Tel: 212.805.3900 • Fax: 212.805.3939

August 11, 2008

VIA FACSIMILE (212) 805 - 7932

Hon. Theodore H. Katz
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007



Re: National Union Fire Insurance Company of Pittsburgh, PA a/s/o
American Stock Exchange, LLC v. Bin H. Chen
Index No.: 07 CIV 6715 (LTS) (HBP)
Our File No. 35-9518-00-8

Dear Judge Katz:

Please allow this letter to serve as a status report and suggested discovery schedule. At this juncture, the undersigned believes that Defendant Bin H. Chen remains incarcerated. According the Federal Bureau of Prison's Inmate locator, it appears that Mr. Chen is scheduled to be released on January 6, 2009. However, Defense counsel advised that Mr. Chen will be moved to a half-way house by the end of August, 2008 and he will be eligible to leave the half-way house permanently by the end of October, 2008 provided that he is gainfully employed.

With regard to discovery, Plaintiff recently served its First Request for Production of Documents and First Set of Interrogatories. To date, Defendant has not served any demands upon Plaintiff. Plaintiff previously provided Defendant with its Bates Stamped Claim File Documents with its Rule 26 Disclosure.

Based on the foregoing, the parties propose the following discovery schedule:

- 1) Request for Production of Documents and Interrogatories to be responded to by September 30, 2008;
- 2) Depositions *and all pretrial discovery* to be completed by January 31, 2009.

T.K.

SO ORDERED

8/12/08 *Theodore H. Katz*
THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE

*Clausen
Miller*


Hon. Theodore H. Katz
August 11, 2008
Page 2

Thank you.

Very truly yours,

CLAUSEN MILLER, P.C.

By:



Joseph W. Szalyga

JWS:rg

cc: Via Facsimile (914) 997-4179
Anthony J. Siano, Esq.
333 Westchester Avenue
Suite 300
White Plains, New York 10604